IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.63343-M of 2005 (O&M)
Date of Decision:- 28.04.2007

Meer Singh & ors. ....Petitioner(s)

through
Mr.N.K.Sanghi, Advocate

vs.

State of Haryana & ors. ....Respondent(s)

through
Mr.R.D.Sharma, DAG, Haryana.
Mr.Lokesh Sinhal, Advocate.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J.

The prayer in this petition is for quashing of F.I.R.No.317 dated 26.8.2005 under Sections 323/506/34 IPC registered at Police Station Chandni Bagh, Panipat as well as all the consequential proceedings arising therefrom.

Petitioners No.1 and 2 are husband and wife whereas petitioners No.3 and 4 are their daughter and son respectively.

Petitioner No.3, namely, Babita is married to Kuldeep Singh son of Mahender Singh Saini-respondent No.3. An unfortunate matrimonial dispute between Babita and Kuldeep Singh prompted respondent No.3 to get the impugned F.I.R. registered against his own daughter-in-law and her family members.

With the intervention of the respectables, the dispute has been amicably resolved and it is jointly stated by learned counsel for the petitioners and learned counsel for respondent No.3-the complainant that Babita and her husband Kuldeep Singh are now happily living together as husband and wife.

The above-stated factual stand taken by the petitioners has been duly supported by respondent No.3-the complainant by way of his reply/affidavit dated 20.3.2007.

Having heard learned counsel for the parties and in the light of the fact that the unfortunate matrimonial dispute has been amicably resolved; the parties are living together happily and peacefully; the continuation of the impugned criminal proceedings is nothing but an exercise in futility; these proceedings in a way would now amount to an abuse of process of law and keeping in view the principle laid down by the Apex Court in the case of **B.S.Joshi** vs. **State of Haryana** 2003 (4) SCC 675, this petition is allowed. The impugned F.I.R.No.317 dated 26.8.2005 under Sections 323/506/34 IPC registered at Police Station Chandni Bagh, Panipat as well as all the consequential proceedings arising therefrom are hereby quashed.

April 28, 2007 **(SURYA KANT)**
poonam **JUDGE**